

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

OWEN BATISTA,

Defendant.

Criminal Case No. CR 21-48WES

In violation of:

18 U.S.C. § 2252(a)(2)

(Distribution of Child Pornography)

18 U.S.C. § 2252(a)(4)(B)

(Possession of Child Pornography)

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

**(Distribution of Child Pornography)**

On or about August 6, 2020, in the District of Rhode Island and elsewhere, the  
defendant

OWEN BATISTA

did knowingly distribute any visual depiction of a minor engaging in sexually explicit conduct using any means and facility of interstate and foreign commerce, and that had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed, shipped, and transported, by any means including by computer, and the production of such visual depiction involved the use of a minor who had not attained the age of 12 years engaging in sexually explicit conduct and the visual depiction was of such conduct.

All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b).

**COUNT TWO**

**(Distribution of Child Pornography)**

On or about April 2, 2020, in the District of Rhode Island and elsewhere, the defendant

OWEN BATISTA

did knowingly distribute any visual depiction of a minor engaging in sexually explicit conduct using any means and facility of interstate and foreign commerce, and that had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed, shipped, and transported, by any means including by computer, engaging in sexually explicit conduct and the visual depiction was of such conduct.

All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b).

**COUNT THREE**

**(Possession of Child Pornography)**

On or about October 21, 2020, in the District of Rhode Island and elsewhere, the defendant

OWEN BATISTA

did knowingly possess, and access with intent to view, one or more matters which contained a visual depiction, that had been shipped and transported using any means and facility of interstate and foreign commerce, had been shipped and transported in and affecting interstate and foreign commerce, and which was produced using materials which had been mailed, shipped, and transported using any means and

facility of interstate and foreign commerce, including by computer, the production of which involved the use of a minor who had not attained 12 of age engaging in sexually explicit conduct, and the visual depiction was of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(4)(B) and (b)(2).

### **FORFEITURE ALLEGATIONS**


Pursuant to Federal Rule of Criminal Procedure 32.2, notice is hereby given to defendant OWEN BATISTA ("BATISTA") that in the event that defendant BATISTA is convicted of any count of this Indictment, defendant BATISTA MULVEY shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a), all property, real or personal, used or intended to be used to commit or promote the commission of the said offense, all property constituting or traceable to gross profits or other proceeds obtained from such offense, and all visual depictions described in 18 U.S.C. §§ 2251-2252, and any book, magazine, periodical, film, videotape, or other matter containing any such visual depiction, which was produced, transported, mailed, shipped, or received in committing such offense.

All in accordance with 18 U.S.C. § 2253, 21 U.S.C. § 853, and Rule 32.2(a), Federal Rules of Criminal Procedure.


RICHARD B. MYRUS  
Acting United States Attorney

A TRUE BILL:

  
Grand Jury Foreperson

  
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LEE H. VILKER  
Assistant U.S. Attorney  
Criminal Division Deputy Chief

Date: 5/14/2021

  
SANDRA R. HEBERT

Assistant U.S. Attorney  
Criminal Division Chief